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MAR 11 2005

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**FACSIMILE TRANSMISSION COVER SHEET**

DATE: March 11, 2005

TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE: U.S. Patent Application No. 10/770,895  
For: METHOD OF MAKING NIOBIUM AND OTHER METAL POWDERS  
Our Ref: 99024CIPDIV2 (3600-234-03)

FROM: Luke A. Kilyk, Esq. 

FAC. TEL. NO.: 1-703-872-9306

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 13

Items Attached: Supplemental Information Disclosure Statement -- 2 pages  
Form PTO 1449 -- 1 page  
4 Documents -- 9 pages

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9306 on March 11, 2005.

Donald S. Prater  
Name

  
Signature

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MAR 11 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	HABECKER et al.	)	Examiner:	Ngoclan Thi MAI
		)		
Application No.:	10/770,895	)		
		)	Group Art Unit:	1742
Filed:	February 3, 2004	)		
		)		
Docket No.:	99024CIPDIV2 (3600-234-03)	)	Confirmation No.:	1073

For: METHOD OF MAKING NIOBIUM AND OTHER METAL POWDERS

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 11, 2005

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. Pursuant to the current United States Patent and Trademark Office rules, no copies of U.S. Patents/Patent Application Publications are provided.

This Information Disclosure Statement is being submitted after expiration of the three-month period following filing of the above-captioned application, but before an Office Action on the merits and before any Final Office Action or Notice of Allowance.

Should a first Office Action cross in the mail with the filing of this Information Disclosure statement, then applicants respectfully petition under 37 C.F.R. § 1.97(c) to consider the documents set forth in the Information Disclosure Statement.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully

Information Disclosure Statement  
U.S. Patent Application No. 10/770,895

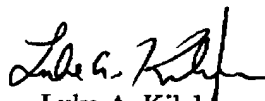
requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 03-0060.

Respectfully submitted,

  
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Atty. Docket No.: 99024CIPDIV2 (3600-234-03)  
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Enclosures: PTO-1449 w/ 4 documents

**INFORMATION DISCLOSURE CITATION**  
 (Use several sheets if necessary)

Atty. Docket No.: 99024CIPDIV2 (3600-234-03)	Application No.: 10/770,895
Applicant: HABECKER et al.	
Filing Date: February 3, 2004	Group Art Unit: 1742

**U.S. PATENT DOCUMENTS**

Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate

**FOREIGN PATENT DOCUMENTS**

Document Number	Date	Country	Class	Sub Class	Translation	
					Yes	No
41 35 095 A1	4/29/93	Germany	B22F	9/04		no
01176013 A	07/12/89	Japan	B22F	9/04	Abstract	
61-291901 A	12/22/86	Japan			Abstract	
04-160105	10/24/90	Japan			Abstract	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


Examiner		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce
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